June 30, 2022

The Honorable Jerry Moran Ranking Member Committee on Veterans' Affairs U.S. Senate Washington, D.C. 20510 The Honorable Mike Bost Ranking Member Committee on Veterans' Affairs House of Representatives Washington, D.C. 20515

Dear Ranking Member Moran and Ranking Member Bost,

Our country has a moral obligation to care for those who have "borne the battle" in defense of the freedoms we enjoy today. As Congress works to achieve this important duty for the millions of veterans exposed to burn pits, we must stay resolved in ensuring we accomplish this goal in the most responsible way possible. We cannot mortgage the future of the very nation millions of veterans fought and died to preserve. Unfortunately, H.R.3967 – Honoring Our Promise to Address Comprehensive Toxins (PACT) Act in its latest public draft would do just that. As the Senate Veterans' Affairs Committee and the House Veterans' Affairs Committee discuss potential revisions to the PACT Act, I urge you to consider a few changes.

H.R.3967 spends \$285 billion that we do not have – our country is \$30 trillion in debt. But, even more concerning, the legislation moves \$396 billion from discretionary spending to mandatory spending for a "Cost of War Toxic Exposure Fund" – effectively putting billions of dollars of spending on autopilot.<sup>2</sup> This newly created "gap" in non-defense discretionary will no doubt be filled, and the cost of this legislation will ultimately cost closer to \$680 billion. To preserve the future of our nation, we must amend the bill to 1) designate the "Cost of War Toxic Exposure Fund" as discretionary, 2) offset the cost of bill – there is still an estimated \$360 billion in unspent COVID-19 relief funds,<sup>3</sup> and 3) sunset the legislation if Congress has not found a way to pay for the program in future years.

Further, as it currently stands, the legislation will create serious inequities between veterans. The PACT Act will bypass the VA's established scientific framework and add over 20 presumptive conditions with or without strong scientific evidence. This will result in the unfortunate situation where veterans suffering from one of the presumptive conditions – regardless of the scientific evidence – will gain access to VA benefits ahead of veterans waiting for their condition to be processed. The VA has even raised concerns that this legislation could create severe backlogs to the already stressed system. The Senate should amend the language to allow the VA to remove illnesses from the presumptive list for lack of evidence tying specific diseases to burn pit exposure. Congress has an obligation to address this in a scientifically backed manner that does not disadvantage thousands of suffering veterans.

In less than two weeks, the House plans to reconvene where we will once again have the opportunity to consider the PACT Act. If the concerns laid out in this letter are not addressed, I stand ready to offer an amendment in the nature of a substitute that will make necessary changes to address them. Without these changes, Republicans should stand in firm opposition to this bill. Veterans have sacrificed life and limb to preserve our liberties – they deserve Congress to do the hard work necessary to deliver their benefits without threatening the country's future.

Sincerely,

Chip Roy

Member of Congress

<sup>&</sup>lt;sup>1</sup> https://www.va.gov/about\_va/mission.asp

https://www.congress.gov/bill/117th-congress/house-bill/3967/text

<sup>&</sup>lt;sup>3</sup> https://www.usaspending.gov/disaster/covid-19?publicLaw=all